



1526 Gilpin Avenue
Wilmington, Delaware 19806
United States of America
Tel: 302-449-9010
Fax: 302-353-4251
www.devlinlawfirm.com

JUNE 5, 2023

VIA CM/ECF

U.S. Circuit Judge Stephanos Bibas
United States Court of Appeals for the Third Circuit
21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: ***Brathwaite v. Phelps, et. al.***, C.A. No. 10-cv-646-SB

Dear Judge Bibas:

The parties have reached an agreement in principle to resolve this litigation. Because the Delaware Department of Correction typically needs between 60-90 days to finalize resolution of inmate cases, the parties jointly request a 90-day suspension of all deadlines and the postponement of trial, which is set to occur during that time. The parties fully believe this matter to be resolved, but do not wish to dismiss this case until all logistical hurdles have been cleared and all settlement obligations of the parties completed.

Counsel is available should the Court have any questions.

Respectfully submitted,

/s/ Andrew DeMarco

Andrew DeMarco (No. 6736)

/s/ Nicholas Picollelli

Nicholas D. Picollelli, Jr. (No. 6317)

cc: Counsel of Record (via CM/ECF)